

***Election/Restriction***

The Examiner has made final the prior Restriction Requirement. As a result, Applicants have cancelled non-elected claims 4-6 and reserve the right to file a Divisional Application thereon.

***Claim Rejections Under 35 USC § 112***

Claim 2 has been rejected under 35 USC § 112, second paragraph. Reconsideration and withdrawal of this rejection is requested based upon the amendment of claim 2 herein to change the phrase "characterized in that" to "wherein". In this respect, Applicants believe that claim 2 as originally amended was not indefinite and at the same time particularly and distinctly set forth the subject matter that the Applicants regarded as their invention. Even so, in order to further the present application towards allowance, the present amendment has been made. It is noted that the scope of claim 2 has not been changed by this amendment.

**CONCLUSION**

Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance, clearly indicating that claims 1-3 are allowed at present.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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Attachment: Version with Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 4-6 have been canceled.

The claims have been amended as follows:

2. (Twice Amended) The method as set forth in claim 1,

[characterized in that] wherein:

the suspension of protein is prepared by suspending 100 parts by weight of protein in 800 parts by weight of deionized water,

the protein suspension is proteolyzed at pH 3.5-6.0 for 10-12 hours in the presence of 2-4 parts by weight of protease to give the mixture of oligopeptides,

zinc ions are mixed with the mixture of oligopeptides in a weight ratio of zinc/oligopeptides of 1/1,000 and allowed to chelate, to yield the zinc-oligopeptide, and

the zinc-oligopeptide solution is concentrated to a solid content of 32-36% and dried to produce the zinc-oligopeptide powder.